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The changing pattern of state workers' labour resistance in Shaanxi Province, China

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Keywords

province, shaanxi, resistance, labour, workers, state, pattern, china, changing

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Abstract

State workers in China have been suffering multiple negative shocks due to state sector reforms and massive layoffs since the 1990s. One of their responses has been to engage in conventional forms of rightful resistance to assert their rights and benefits. The recent development of such labour resistance, however, has been less studied. This paper examines the recent collective rights action among state workers in Shaanxi province to examine the evolving pattern of resistance that changed from relatively nonthreatening to a radical form, and from offline to a mixture of real-life and cyberspace actions. Because the recent movements directly challenged the authoritarian power of the agencies of ruling party, local authorities have not tolerated the rights action as they had previously, but suppressed resistance. The findings add to the body of knowledge regarding the changing relationship between the state and workers, and the interplay between traditional resistance politics and emerging cyberspace activism in transitional China.

Keywords

China, Shaanxi province, state workers, resistance, cyber activism

Introduction

Since the mid-1990s, the Chinese Government has restructured the ownership of state-owned enterprises (SOEs) — the once predominant *danwei* (socialist work units) of urban economy — and reduced their staff. By 2005, nearly 30 million, or 60 per cent, of SOE workers had been dismissed (Liu, 2005), and the state sector's share of urban employment decreased from 82 per cent in 1978 to 27 per cent in 2005 (National Bureau of Statistics of China, 2006). As a result, most state workers' relationships with *danwei* ceased after they were compensated with a one-off severance payment, which was usually perceived as being disproportionate to their contribution. Disenfranchised and in dire straits, state workers also perceived themselves as being enduring a great injustice and rights violation (Cai, 2006). Claims for rights and justice through petitions, protests and demonstrations between the mid-1990s to the early-2000s were very often seen in SOE compounds and streets, sparking massive labour insurgencies (Mok *et al.*, 2002). Since the mid-2000s, little official statistics and information about layoffs have been published, giving the public an impression that the national layoff program was completed.

On to the contrary, *de facto* layoffs never ended; rather, after shedding a massive number of workers, SOEs embarked on an even more aggressive wave of restructuring. In turn, these moves resulted in numerous new resistance activities, which have been scantily studied. One research report looks into the many emerging disputes by state workers who had recently been, or were about to be, laid off and asserts that local governments have learnt nothing from the debacle of the late 1990s (China Labour Bulletin, 2009b). The ongoing SOE reform and labour retrenchment have induced a series of ongoing, heated resistances with new characteristics.

This study focuses on workers in the SOE reform in Shaanxi province of north-western China. The province was representative of the inner-China development model that relies on the state's investment (Walcott, 2004), and has been stricken by urban poverty induced by layoffs since the late-1990s (Cheng and Beresford, 2012). The reason for studying Shaanxi is that its state sector had been the backbone of its provincial economy throughout the pre-reform and early post-reform eras, and its SOE reform is still in progress. This paper researches one of the most extraordinary and influential cases of resistance carried out by state workers in recent years. It provides a detailed and updated account of the significant but less revealed movement within the research framework of rightful resistance—one of the major types of contention expression in post-reform China.¹

¹ O'Brien (1996) (p. 31) defines rightful resistance as: '...a partly institutionalized form of popular action that employs laws, policies, and other established values to defy power holders who have failed to live up to some ideal or who have not implemented a popular measure...Aggrieved individuals and groups turn to established principles to anchor their defiance; use legitimating myths and normative language to frame their claims; rely on existing statutes and government commitments when leveling their charges; and

Since the case was almost unreported by traditional media, collection and critical analysis of both original and secondary data are crucial and necessary. Between September 2010 and June 2011, data collection was conducted through three major approaches. First, fifteen state workers and their supporters (including three leading organizers) participated in the resistance, three managers in SOEs in which the workers participated in the resistance, three trade union officials, and six government officials were interviewed by using semi- or un-structured interview techniques in order to reconstruct the timeline and key events of the movement from the perspectives of different parties. Second, released government and court documents, and other materials publicly published by the lawyers who defended a major activist, were collected and analysed as secondary data in order to examine the local state's responses to the movement and activists, and *vice versa*. Third, materials from the online media such as blog texts, articles, petitions and reports and online communication and conversation records between participants via instant messaging program were collected to examine the spread of influence during the course of action and how activists interacted and cooperated with each other in cyberspace and affected real-life resistant activities. Most existing reports in relation to this case are fragmented, demonstrated bias, or were not rigorous in research terms.

The next section explains that hardship, poverty and labour disputes are still current issues facing the cohort of (former) state workers. It is followed by two sections describing how the patterns of resistance carried out by state workers in Shaanxi, and the local state's responses, have changed over time with one section providing deeper analysis on the interplay between the local state and the state workers and their supporters during the changes. The final section provides the discussion and conclusion.

Research background

Once-secure state workers have found it hard to endure rapid increases in educational, medical, housing and living costs, and combined with reduced incomes and limited savings accumulated before the layoff, many have fallen into hardship and poverty (Fang *et al.*, 2002). Yao (2004)

locate and mobilize advocates within officialdom. In differing contexts, a combination of rights talk, legal tactics, and open confrontation may induce power holders to surrender advantages in accord with principles that usually favor them.' Rightful resistance has been widely adopted as a major tool against the state and capital by peasants, disadvantaged state workers and other groups (O'Brien and Li, 2006). The movement employs a mix of characteristics, from institutional participation, social movements, rights consciousness-raising and everyday forms of resistance (Scott, 1987). It is essentially 'a fight to compel the authorities to narrow the gap between what they say and what they do in a context where rights that are recognised — more or less formally — but are not guaranteed' (Froissart, 2007) (p.117).

estimated that about one-fifth of the urban poverty has been caused by the state sector layoffs. State workers' social and human capital disadvantages due to deficiencies in education and utilisable social connections have deterred workers from seeking re-employment and dampened their career progress in an emerging market-oriented labour system (Knight and Song, 2005). Only approximately 30 per cent of laid-off workers have been able to get jobs through the re-employment service (China Labour Bulletin, 2009d).

State workers' movements related to layoff procedures, hardship and poverty constitute a substantial proportion of labour disputes, which rose 55 times between 1993 and 2009 in volume, involving more than one million employees a year (Ministry of Labour and Social Security, 2009). Many of these disputes have triggered strikes, demonstrations, rights suits and even violence and riots, or the so-called mass incidents (*quntixing shijian*) (Weil, 2006).

Rapidly expanded labour disputes and collective action among state workers were fostered within the organisational structure of socialist workplace. In the pre-reform era, the *danwei* system was in place to maximise the utilisation of labour by controlling the daily production of labour power and mobility. The theory of neo-traditionalism suggests that *danwei* managed their workers through organised dependence and principled particularism (Walder, 1986). The former dictated that state workers had to rely solely on *danwei*'s overall control and provision of living resources and career opportunities in a systematic, structural manner; while the latter implies a reward system to state workers who were committed and loyal to the Chinese Communist Party (CCP) and management. These two approaches created a patron–client relationship between SOE cadres — the representative of the party–state regime — and ordinary workers, deterring collective action and organised political activities. In the pre-reform political economy that excluded market mechanisms, individuals were assigned to *danwei* without choice, and separated geographically in cities in confined compounds that usually served both production and residential functions.

However, in the post-reform era, the *danwei* system actually has the potential to spark large-scale collective action (Zhou, 1993). Individuals are gathered in unified, highly concentrated groups by working and living in same compound and community, providing the proximity and convenience for collective action to be formed and carried out. In other words, the organisational structure of *danwei* has given state workers a convenient structure in which to organise collective action and protest in the form of rightful resistance.

While SOE layoffs were devalued as an anachronistic term by the state, they nevertheless continue surreptitiously in many cities, but under different names, such as optimisation of human resources and reducing overstaffing. Much of the research on state workers that was published in the early

2000s was based on data collected in or before that period. However, a series of significant rightful resistance amongst state workers occurred between 2008 and 2010. For example, in 2008 Xi'an, the capital of Shaanxi province (the focus of this paper) had the largest SOE bankruptcy in the province's history, retrenching more than 9,000 workers from a restructured state-owned textile industrial complex (Cheng, 2011).

Silenced traditional media and institutionalised benign resistance

Since the author's initial observations in Xi'an in 2001, numerous rights groups have gathered and sometimes purposely blocked the traffic in front of government buildings and the headquarters of traditional media such as newspapers and television stations to protest and express their grievances in the hope of attracting official and media attention.² The local state realised that such demonstrations were an opportunity for state workers to release their pent-up anger, and that strong measures could attract a negative public reaction. Thus, it usually endured such activities and publicity campaigns, provided protestors did not assault police officials who maintained order.

The local state, however, could not be regarded as merely passive. We found that, until the late-2000s, the local state's superior and authoritarian status over traditional media and state workers had allowed it to curb resistance and direct it to a preferred path. On the one hand, under strict media censorship especially after early-2000s, traditional media was not allowed to report workers' resistance, even after workers' allegations were found justifiable by journalists.³ Ironically, interviews conducted revealed that small pieces of news — usually containing only a few sentences — in relation to aggressive labour protestors who were found guilty were published at the request of the authorities. Eventually traditional media lost interest in investigating workers' allegations because they were mostly unpublishable. According to an interviewed government official who coordinated local newspapers and the provincial propaganda department, the purpose of strict media regulation in this regard was to annihilate the adverse influence of resistance and conjure up a public image that labour resistance was politically risky and discouraging, 'leaving no media space for labour activism'.

On the other hand, without the help of traditional media, workers were usually left with one institutional option: they had to rely solely on the local government to solve their issues, even if there was an inherent distrust of officials. Reconciliation was then cautiously achieved between workers and involved parties (for example, the trade union, court, procurator or SOE management) through

² In the 1990s, investigating journalism flourished in China. Therefore looking for help from journalists in traditional media has been deemed by protestors as an important approach to raise official attention.

³ Based on an interview of a local newspaper journalist conducted on December 12, 2010.

cooperation on, or behind, the scenes of resistance. More importantly, a state of mutual understanding between the local state and state workers stabilised: workers would not be too aggressive in challenging the local government's principles and limits; while the local government promised — and sometimes did make some progress — to address their claims through financial compensation to workers and legal supervision on SOE restructuring. These measures essentially de-radicalised workers and transferred their discontent to governments' preferred institutionalised channels, such as official mediation and arbitration, and the judiciary.

The path dependence effect manipulated by the local state through its media censorship and institutional arrangements, among other forces, compelled state workers to enter into a mutual agreement with the local state. State workers were cautious about their behaviour because all protests were unregistered, and hence illegal. By reading from the news pieces regarding criminated protestors, workers also understood that the government would not tolerate radical approaches, and so they mostly followed a pattern of nonviolent and sometimes silent and disciplined protests in public. As a comforting measure, officials of responsible departments often pacified protesters with promises of assistance and investigations into alleged injustice, corruption and so on, according to some workers who participated in resistance.

Although on occasion some heated conflicts occurred between state workers, the authorities and (post-reform) SOE management, Shaanxi was able to maintain a relatively less tumultuous relationship between the local government and state workers, compared to the situation in some of the north-eastern provinces. This accords with other observations that the Chinese regime has shown a considerable degree of tolerance toward protests by workers if they remained clearly contained in both scale and aspirations (Tong and Lei, 2010), and it has been willing to accommodate some of their requests (Su and He, 2010).

New communication technologies and coordinated radical resistance

As discussed above, for some years, state workers' protests in Shaanxi had been spasmodic, spontaneous and mostly uncoordinated, as seen elsewhere in China (Blecher, 2002), and they were usually confined to single firms (Gold *et al.*, 2009). In the late-2000s Shaanxi's state workers in the context of widening socio-economic inequalities expressed a new round of grievance and discontent. The understanding and reconciliation between the local state and state workers, fragile as they might be, began to erode after a series of unforeseen real-life and cyberspace events to be presented and analysed below.

The new resistance featured four major fresh characteristics. First, it promoted a different target of resistance. Second, it was more radical, organized and coordinated than previous practices in terms of organization and operation. Third, online communication tools and media played an important role in organizing the resistance, dodging the authorities and censorship, and interacting with wider community. Last but not least, real-life and cyberspace actions were implemented simultaneously during the course of resistance to make the most out of each approach in achieving goals.

As the first step, in August 2008 the Shaanxi Study Group of Mao Zedong Thought (hereafter ‘the Study Group’) was established among workers — mostly at or above their 40s — of several SOEs in Xi’an. While most similar study groups and activities in other provinces mainly mourned the vanishing socialist ideals in the context of nostalgia for the Mao era, the Study Group had greater ambitions than ‘shallow monetary goals’ sought under the guise of promoting Maoism, and this was beyond the expectation of local government which believed that workers had to rely on the aforementioned institutionalized channels to give voice, according to an official from the provincial government. The process of later resistance ignited by the Study Group was divided into two phases, defining by before and after one of the leading organizers, Zhao Dongmin, who was a committed Maoist and labour advocate, was taken into custody by the local enforcement department (see Figure 1).

<Figure 1 here>

Between October and November 2008 the Study Group established the Shaanxi Trade Union Rights Defence Representative Congress (hereafter ‘the Rights Congress’). The Rights Congress promoted a more organised form of labour movement across SOEs and cities in Shaanxi, and explicitly asked workers not to protest in government agencies, but instead to express their concerns and requests in a (self-perceived) legal, collective and organised manner, such as through the official trade union. Meanwhile, the Rights Congress carefully bounded the proposal by closely and unconditionally following the ideological principles of CCP.⁴

Online communication technologies were widely used by the organizers and participants. At the beginning, small, secretive discussion groups registered through instant messaging programs were used to propagate information and to circumvent the nodes of traditional social control systems (such as neighbourhood committee) that government deployed in SOEs in order to monitor and silence dissent. As revealed in interviews, the Rights Congress did raise the concerns of public security officials, but they believed that it did not warrant deeper investigation since the affiliated Study Group

⁴ These principals, briefly speaking, are ‘resolutely upholding the leadership of the CCP’, ‘protecting the principles of the Constitution’, and ‘uniting the working class’.

was quite an ordinary, unthreatening assembly of state workers. This oversight on the government's part made way for the expansion of one of the most extraordinary and influential state workers' resistant actions in Shaanxi's history.

Since the authorities did not react to the workers' online activities, resistance had more openly gone out live on the Internet in order to 'understand *vox populi* and inform comrades and supporters.' Dispersion methods included a number of online communication tools and media including mailing list, online forums, blogs, and instant messaging programs. According to participants, these were considered to be safer than 'face-to-face communication' and 'making phone calls' that could be more easily monitored by the authorities. The go-online strategy was 'effective, economical and safe' — according to an interviewed organizer — in the sense that the Rights Congress' proposal to establish a representative organisation and online promotion attracted an increasing number of workers, who had previously failed to draw attention from traditional media and lacked recourse to institutional politics.

After the preparation stage, the Rights Congress turned more attention to organizing real-life activities. On 7 April 2009 Zhao assisted a group of nearly 400 workers from about twenty SOEs to apply to the Provincial CCP Committee and the provincial branch of the All-China Federation of Trade Union (ACFTU, the only legal trade union under the leadership of the CCP; hereafter 'the Provincial Trade Union') to register the Rights Congress as an enterprise restructuring watchdog. They were concerned that the official trade union was failing, and that workers' congresses — the legal peak bodies in SOEs — had been bypassed in the reform process. Officials immediately dismissed the application and refused workers' request of a formal meeting.

The rebuff was seen to validate the setting up by workers of their own representative congress, according to one of the Rights Congress' reports published online later to appeal to workers for support. Although making no progress in legalizing the Rights Congress, it became better known among workers in Xi'an and other cities through online dissemination of information conducted by a group of volunteers who closely followed the progress of resistance, or participated in it. This also drew overseas journalists' attention and a number of interviews of participating workers and related videos were published and broadcasted through news websites and online radios such as Radio Free Asia based in the United States.⁵

On 15 June 2009 the Rights Congress requested the dismissal of the Provincial Trade Union's president through a visit to it in order to submit an open letter.⁶ This request, being viewed as an

⁵ For example, see <http://www.rfa.org/mandarin/yataibaodao/zhao-10202010150936.html>.

⁶ A video recording the whole process can be found on YouTube (see <http://youtu.be/L5-edu7L1l0>).

unacceptable challenge, irritated the officials of Provincial Trade Union and prompted them to ask from the local authorities for the suppression of the Rights Congress, according to an interview. The authorities made use of a sophisticated operation of government agencies to outlaw the Rights Congress. On 10 July 2009, in a confidential report (leaked and then obtained by Zhao's lawyers subsequently), the Provincial Trade Union officially asked the police for a raid on the Rights Congress, particularly targeting Zhao (Li, 2010b).

The workers believed that they had protested against the Provincial Trade Union using moderation, but the report described them, their leaders and their resistant activities as a major threat to the Party-state.⁷ Authorities, however, defended their actions as rational and necessary by referring to a labour conflict that had erupted in a SOE in Jilin province on 24 July 2009.⁸ Against this background, the fear of mass incidents was fermenting inside the Provincial Trade Union, affected SOEs and government agencies.

More steps were taken to crack down on the both online and offline activities of the Rights Congress. On 27 July 2009, the Provincial Bureau of Civil Affairs, the superior administration of civic organisations, stepped in and outlawed the unauthorised Rights Congress. At the same time, online petitions and discussion groups were also deleted by the Internet police, according to participants. However, the Rights Congress ignored the ruling. Its key members accepted online leftist media interviews to call for public support beyond Shaanxi. This irritated the authorities, who had intended to confine the Rights Congress' influence to Shaanxi, and had hoped to put an end to the nuisance quickly, according to a local government official took part in the implementation of cracking-down.

As the final step and attempt before Zhao's detention, showing further noncompliance to local government's directions, he wrote petition to the Central Government and the CCP committees at the municipal, provincial and central levels. Posted online through leftist blogs, online discussion boards and Maoist websites, the petition made the issues and propositions much more widely known within and outside Shaanxi. Appealing to higher, more central, and presumably more righteous and powerful authorities constituted the major approach adopted by agitated state workers in Shaanxi and

⁷ A section of the report reads: Since April this year (2009), key members of the Rights Congress have changed their focus from inciting people online to taking real action in the society. They stepped up from brewing a plot from behind the curtain to the front stage of confrontation, with more frequent unrest, deeper harm, and the possibility to make the Rights Congress bigger and stronger... Zhao Dongmin and other key members expressed the intention to organise a larger 'legal gathering' at a critical point, showing an obvious political intrigue... They utilised some social problems and older and poor health retired workers as the leverage to press on the government, showing a strong ability of agitation and captivation, and an insufferable arrogance. If immediate action is not taken and they are indulged, it is highly possible that mass incidents will occur.'

⁸ After a private company had taken control of Tonghua Iron and Steel Group (*Tonggang*) as the major shareholder, a new general manager was appointed by the private company to replace the formerly government-assigned manager and prepare for a proposed full takeover. Meanwhile, rumours were circulating among workers that large-scale layoffs would occur. Nearly ten thousand workers who were disgruntled about the privatisation and worried about their jobs rioted, and beat the newly appointed general manager to death (Ouyang *et al.*, 2010).

elsewhere in rightful resistance. Their behaviour, however, finally provoked the local authorities, who had once hoped that the workers would retreat after the Rights Congress was made illegal in real life, and further suppression attempts were made against key resistance members.

On 19 August 2009 Zhao was detained and isolated from his family and the public until late 2010. He was in custody for more than thirteen months, far in excess of the legal limit, during which time his wife died. On 25 October 2010, in his first trial, Zhao was sentenced to three years in prison for the crime of ‘gathering a crowd to disrupt social order’.⁹ After the second trial, on 27 January 2011, Zhao was finally released from jail with a suspended sentence of three years.

During this period, online supporters appealed for donations and asked for support for Zhao’s family in poverty. One of the supporters we interviewed, however, was subpoenaed by the public security office and asked not to post any more online support. It was obvious that, the local authorities had realised, after the outbreak of the Rights Congress, the importance of controlling online information dissemination with respect to Zhao’s case. But this control was deemed ineffective, as to be discussed in the next section. In fact, the case demonstrated an evolving pattern of labour resistance in the context of emerging communication technologies and new media characterized by strong cyberspace support. The next section will discuss this in details.

Emerging online activism and an evolving pattern of resistance

Recent research shows that 1980s resistance favoured direct and confrontational approaches while that in the later 1990s it relied increasingly on indirect and legal means (Pei, 2010). This study confirms that state workers and their supporters have indeed applied a mixed strategy in redeveloping and refining their tactics, and further argues that this strategy has successfully reshaped their power relations with the local state (see Figure 1). On one hand, the approaches of the Study Group and the Rights Congress shared characteristics with earlier state workers’ resistance, in that they followed a conventional pattern of combining naming, framing and blaming (Hung and Chiu, 2009).¹⁰ On the other hand, comparing to earlier resistant movements, several new characteristics, including the utilisation of online media, reshaped the pattern of resistance in the context of emerging online activism.

⁹ Court documents accused Zhao of organising workers to rally at the Provincial Trade Union’s offices, ‘severely disrupting the Union’s business operation for seven hours’ where the workers were ‘making noises, shouting slogans and humiliating staff members’ (Li, 2010a).

¹⁰ Workers named the problematic SOE reforms as the main cause of their miseries; framed their requests by referencing the theories of Marxism and Maoism that the Chinese socialist regime had been built on, and blamed the weak trade union for not safeguarding workers’ benefits, displaying elements of moral economic resistance (Hurst and O’Brien, 2002). They especially referenced Maoism in discussing China’s transition towards capitalism, and how Mao’s foresight had been proven and his concerns validated in transitional China (Wei, 2011).

First, the timing and organizing of resistance was more proactive. In the past, radicalism had occurred upon exit from the working class (for example, layoff and forced retirement), when workers no longer had the power to stop production (Lee, 2002). But the Rights Congress took the initiative to prevent potential or further infringement on the benefits accrued by workers and the threat to state assets. This was in line with a growing trend for workers to take action against the corrupt conditions under which their enterprises were reformed and privatised (Gilbert, 2005). The proactive approach has made the local authorities, whose caution was mainly on putting a curb on post-retrenchment resistance, neglect its early development.

Second, the requests in the resistance were more radical — and damaging to the established state-led conciliation. Previously, workers' bargaining approaches to SOE management mainly campaigned for economic gains, respect and autonomy at the shop floor level (Zhang, 2008). However, the Rights Congress not only opposed SOE reform, but also asked for supervisory power over management and the enterprise branches of the trade union. In addition, they directly challenged the leadership of the Provincial Trade Union through real-life and cyberspace actions. This not only broke the once peaceful, benign and somewhat cooperative relationship between the trade union and workers, it also irrevocably altered worker–*danwei* and worker–state relationships, by transforming them from dependency to defiance (Morris *et al.*, 2001). This has later resulted in a mismatch between the perceptions of the workers and the local state in terms of the tolerance boundary, spurring repression by local state upon the activists.

Third, the resistance was less tolerated by the local state after the breakdown of conciliation. ACFTU and its multi-level branches have been wary of, and often felt threatened by, workers' attempts to establish their own representative organisations (China Labour Bulletin, 2009c).¹¹ The Rights Congress was dangerous in the eyes of local authorities and the trade union because it linked different cities and organised workers from several SOEs. After the crackdown on Falun Gong in the late 1990s, China has heavily repressed revolts and potentially radical popular movements. Therefore, many civic movements tried to shield themselves by labelling their purpose as 'not against the state' (Zhu and Ho, 2011). Although workers had argued that they had no intention to contest the authorities, the activities of the Rights Congress had, from the trade union's perspective, challenged the legal and superior status of the union that was backed by the CCP.

¹¹ For instance, in February 2009, right at the height of the global financial crisis, the ACFTU reminded its branches to 'keep a close lookout for foreign and domestic hostile forces using the difficulties encountered by some companies to infiltrate and undermine the ranks of migrant workers'. These words were echoed by Shaanxi's officials, who claimed that the Rights Congress was in collusion with foreign forces, and was a reactionary organisation that could harm China's achieving of a harmonious society (China Labour Bulletin, 2009a).

Fourth, the resistance was operated in a relatively organized form to muster different sub-groups. With different rights claims and statuses, the varied contentions of the groups of current, laid-off and retired workers in SOEs meant that they did not always pool their resistant efforts. The Rights Congress differed from these rights groups because it provided a platform that was inclusive of different groups from multiple SOEs who shared ‘a bitter hatred for corrupt management, the trade union and the SOE reform program’, according to interviewed participants. This produced a stronger collective voice than ever before. The organisational form, however, created new challenges to the governance power for the local authorities. Their capacity for governing labour matters and unrest had been mainly built on the experiences of dealing with workers with conventional claims, which could often be solved within established governance frameworks and within single firms or groups.

Finally, and the most distinctively, the resistance was a combination of conventional and cyberspace activities. Interviewed officials admitted that Zhao and his colleagues’ ability to organise and mobilise workers across SOEs and cities was the reason that the authorities kept him in detention for such a long period in an attempt to quash his influence. However, his case attracted even wider attention on Internet and more support from Maoists and other leftists in general both within and outside China.¹² The online movements in this phrase, to be discussed below, had gone through several steps to reach the peak of national attention, illustrating the contentious characters of the Chinese Internet.

Initially, in order to raise wider attention, Zhao’s close supporters in Shaanxi posted articles online, portraying his life experience and praising him as a self-giving activist and brave challenger to corrupted officials.¹³ The dissemination of these pieces, which were certainly banned by the traditional media, rapidly attracted attention beyond the province through the means of mailing list, forums, blogs, Twitter-like microblogs and instant messaging programs.¹⁴ It was beyond the provincial Internet police’s capacity to control for the proliferating online resistant information outside Shaanxi. Yang (2009) too suggests that the state’s efforts at censorship are fairly ineffective, stating that ‘state power constrains the forms and issues of contention, but instead of preventing it from happening, it forces activists to be more creative and artful’ (p. 7). For the very first time, the power relationship between workers and the local state, as manifested in the outcomes of their struggles in the cyberspace, had slightly shifted in favour of the former.

¹² For example, the famous New York-based Monthly Review magazine republished an article about Zhao. See <http://mrzine.monthlyreview.org/2011/clnt130111.html>.

¹³ Supporters compiled a volume of articles about Zhao with 1,101 pages. See <http://dajialai.org/ziliao1/>.

¹⁴ In *Wuyouzhixiang* (literally ‘Utopia’; shut down in 2012), arguably the most influential leftist online forum, nearly 4,000 articles and opinion pieces were posted in a short time, and they were reposted daily by other forums such as *Maopai gongren* (literally ‘Maoist workers’) that devoted specifically to state workers. A number of Zhao Dongmin Concern Groups (*guanzhu tuan*) were also established online in most provinces, posting articles in local websites and asking for the immediate release of Zhao.

More online and offline activity further pushed the resistance in favour of Zhao. First, people in China and other parts of the world signed petitions arguing for the release of Zhao.¹⁵ Second, since October 2010, Li Jinsong, a Beijing trial lawyer famous for defending for the disadvantaged and rights activists (Kahn, 2007), has written a number of widely circulated public reports from the legal perspective and continually updated his client's progress online.¹⁶ Li's participation significantly enriched the means of second-phase resistance which was initially morally based but lacked substantial legal challenges to the local state.

Under such pressure, especially that from the cyberspace, the local court finally had to hear Zhao's case. Instant messaging programs, microblogs and so on were used to quickly disseminate information about the trials of Zhao.¹⁷ During the trials, activists from all over the country and many local state workers went to the court site to voice their protests. The online organization of resistance in the second phase, which was less amenable to control and beyond the provincial boundary, made the local authorities very difficult to deal with. The overwhelming influence of this case amplified through the Internet made the local government act as if 'it was facing a major enemy force' during the trials, according to an interviewee. Nonetheless, the suppression of Zhao has not stopped the resistance, and it actually 'provided a channel through which citizens defend or pursue their legitimate rights in China' (p. 24) (Cai, 2008).

In sum, the study shows that the basic structural conditions for the resistance were furnished by technological development in communication and transformation in labour politics among state workers. With the help of the Internet, a fledgling civil society of online communities and offline rights organization among workers and the creativity of Internet users combined to sustain both online and office activism in this case. We agree with what Economy and Mondschein (2011) argues that 'while the Internet may not have produced a revolution in China's political system, it most certainly is producing an evolution', especially as it helped workers gain significant media influence which was unavailable previously.

¹⁵ For example, an open letter was signed and posted online by 53 domestic and overseas academics, including some from leading institutions (China Labor News Translations, 2010). In the cities of Luoyang and Zhengzhou in Henan province, Maoist activists organised sympathy protests to support Zhao. Protests were even held at Chinese embassies overseas.

¹⁶ Some of the most influential and confrontational reports exposed the internal, confidential communication on how the Provincial Trade Union secretly thwarted Zhao, illuminated detailed allegations of corruption among union officials, and defended Zhao's actions as manifestation of his commitment to the CCP (China Labor News Translations, 2011).

¹⁷ For example, information was regularly updated on *Wuyouzhixiang* (website: <http://www.wyzxsx.com/>) and then reposted to other websites.

Discussion and conclusion

Faced with substantial income inequality, rampant corruption and social ills, the masses in China have for a long time been filled with anger and indignation. Protesters refer to rights clearly set out in law, government policies as well as extracts from CCP leaders' discourses for justification. Among the (former) state workers, there is a growing scepticism about the current regime and a yearning for the old Maoist era. They were not content with the status quo and refer to Maoist theory and ideology about socialism, socio-economic rights and justice, and most importantly, the status of state workers, in protesting against SOE management and malfunctioning trade unions.

Against this background, this paper has presented a case study of rightful resistance utilizing both traditional and emerging means.

In the first phase of the resistance, although largely following the conventional pattern, the Study Group and the Rights Congress represented a strategic turn in Maoist organizing in contemporary China. Their allegations, requests and proposals all mixed Maoist rhetoric with contemporary legal and constitutional arguments and showed absolute allegiance to the Party-state, although we found that not all participants essentially believed in these principles. Actually these organizational designs and rhetoric were more or less contrived to create difficult ties for the local authorities to have charges of 'state subversion' or 'collusion with foreign elements' stick to the Study Group and the Rights Congress. Therefore this was as a self-protective approach to legitimize their actions. The participants in general saw their actions legal, peaceable and concessional in front of corrupted officials. However, the Provincial Trade Union, the target of the resistance, took a different view and perceived these actions as disturbing and threatening. It magnified the severity of these actions to the level that they directly challenged the authorities of the state.

The strategy and rhetoric standing were reused in the second phase but on a different platform. After Zhao was detained, state workers from the original group and supporters in Shaanxi and other places had consistently ventilated the matter beyond the provincial boundary through the Internet. They also excogitated a plan to turn the case into a referendum on the nature of the CCP through a mixture of online and real-life activities confrontational to the local state, which once hoped to trammel the influence of the case within Shaanxi. The questions, facing the local state, changed from whether the Rights Congress was legal to whether the CCP would defend one of its own, who was merely attempting to uphold the legal rights of workers. If not, then wasn't the CCP signaling that it no longer represented the workers, or the putative protagonists of the CCP and nation?

However, the suppressing approach taken by the local authorities — especially during Zhao's wife's sickness and death — triggered more anger amongst workers and the online audience, and wiped out any hope for an amicable settlement with the local authorities. Nonetheless, considering that a three-year sentence was the minimum for this crime, the sentence was relatively light compared to other harsh suppressive measures.¹⁸ Leftist groups and rights defenders therefore hailed Zhao's suspended sentence as a major victory of grassroots leftist resistance. However, by criminalising this type of movement against the trade union, the local authorities could deter similar activities in the future by referring to Zhao's case. Thus, a new — as yet unclear — baseline regarding what will (or not) be tolerated was established by the local state. This crushed the state workers' hopes for establishing a self-organised labour movement within the framework of rightful resistance that had previously been less risky than wholly un-institutionalised defiance.

This phenomenon of rights resistance coalescing into the Maoism is especially evident in the inland industrialised cities of China, whose economies and administrations have been unable to accommodate disadvantaged state workers through compensations, strong job markets and welfare systems. In these cities, Maoists often hold meetings, discussions and commemorative activities on anniversary dates for Mao, the CCP and socialist China to protest against capitalism-driven development. As demonstrated earlier, online media were widely used in recent years to promote, organise and spread resistance. The Chinese Government now keeps a close eye on the Maoists and their political activities, especially those that are relatively organised and radical. In order to preserve the one-party dictatorship of the bureaucratic regime, the CCP has continued to brutally suppress many kinds of social or mass movement that could potentially challenge it. An increasingly harsh and secretive court procedure is imposed on social activists, including rightist liberals, leftist Maoists and trade unionists. Since the arrest of Zhao and the crushing of a more radical group of activists called the Maoist Communist Party of China, there have been further conflicts and clashes between Maoist masses and the police in places such as Shaanxi and Henan provinces where a larger number of SOEs locate.

The state had once allowed a relatively loosened environment on Internet (Tai, 2006). But recently the state has tightened its control over online leftist discussion and communication and attempts to snuff out the radical voice of dissension. Bo Xilai, one of the high-profile leftist leadership contender hoping to enter the Standing Committee of Politburo, was dismissed on 15 March 2012, one day after Premier Wen Jiabo called for actions to avert the repeat of Maoist Cultural Revolution. After that some leftist forums that supported Bo were warned, suspended or even closed down. Between 31

¹⁸ For example, in 2007 two laid-off workers involved in a lesser-known case in Xi'an were sentenced to three years for the same crime enacted on a much smaller scale (they led a group of laid-off workers to block the entrance of a suburban SOE).

March and 3 April 2012, two major Chinese microblogging sites were punished for allowing bloggers to spread rumours about a military coup linked to Bo in Beijing and their comment functions were suspended. All these actions explicitly signal to the Maoists and leftists that online organizing of activities and dissemination of radical information that challenged the Party-state are unsupported and becoming difficult now more than ever. Nonetheless not only leftists but also other discontents have been closely monitored online (Davies, 2012).

At the local level, the rapidly developed online media in China have thrust many local conflicts and low and middle-tier officials into the limelight, which would not have been possible before. In many cases, the revelation of illegal activities has resulted in disciplinary action, dismissal from post, and even formal investigation over potential corruption. For example, in September 2012 the former head of Shaanxi province's Bureau of Work Safety photographed grinning at the scene of a fatal coach crash has been removed from his post, due to 'serious violation of discipline' after Internet vigilantes found that he was in possession of a number of expensive watches. Therefore it is understandable that why local officials usually have 'media horror' and try to confine its influence in local conflicts.

Goldkorn (p. 169) (2012) believes that the year 2011 was a watershed because 'the Chinese Government officials began reading Internet postings with a care once reserved for picking through editorials in the People's Daily. The ability to decipher gnomic utterances in the Party newspaper was once vital to a political career; today, understanding the Internet is arguably even more important for Party and non-Party observers alike for the way it reflects China's restive reality.' But the trend becomes indistinct in 2012, and beyond it is hard to predict, since the top Chinese politicians themselves were recently affected by these information flows. Right before the once-in-a-decade power shift in November 2012, a devastating investigative report on the Premier Wen Jiabo's hidden family wealth was published by the New York Times and widely circulated online before it was banned in mainland China by the most extensive and sophisticated system for Internet censorship (Barboza, 2012; Bradsher, 2012). It seems that the system will continue to provide some limited space for censored discussion on certain topics. However, the high pressure approach to Internet regulation will not change in a foreseeable period of time given that there will be no change to CCP's hardline policies. Meanwhile, it should be noted that the Chinese state is not 'the high-capacity juggernaut familiar from the headlines', but 'a hodgepodge of disparate actors ambivalent about what types of activism it can live with' (p. 190) (Stern and O'Brien, 2011).

The decline of the Rights Congress – still in operation in Shaanxi nowadays – has not ended. The resistance has continued despite the state's negative response.¹⁹ After release, Zhao continues his resistance efforts through writings, and most of these are published on his personal blog in the name of the Study Group, addressing the authorities in a softened manner.²⁰ Meanwhile, a differentiation among the members of the Study Group and supporters has emerged, and some of them no longer agree with Zhao. For example, an interviewed major liaison that was responsible for managing the donation to Zhao during his detention questioned his sincerity in helping workers and criticized him for his self-promotion as the most important leader of the resistance.

The conflict between online disorder in the second phase and local state's pursuit of both online and real world order in this case imply that, although it is tightly controlled and risky sometimes, the cyberspace has proved to be a usable platform for democratic and civic participation in a more and more open society (Benney, 2011). The state itself is currently in a difficult position as to how to decide the extent of openness of cyberspace, during the construction of consultative authoritarianism which essentially requires more understanding and involvement between the state and the people. Therefore the conflicts in this and many other cases may create certain space for negotiation as the local state has strong incentive to avoid such conflicts.

During the local state's attempt to reconcile the contradiction and suppress the dissidence, state workers' labour action will surge again – probably in a different form – to find out what the new bottom line is and what the new outlets can be. In the future, it will be interesting to examine the new interplays between these parties. For example, how will the workers' future resistance adaptive to the increasingly constrained online and offline environments after the local state outlawed the Rights Congress and disgraced Zhao? How will the local state's new counter-actions influence the state workers, Maoists and leftists? And a fundamental question is that how the Party-state copes with more and more conflicts in the existing socio-political framework, especially after then General Secretary of CCP Hu Jintao explicitly dismissed the possibility of either adopting Western-style democracy or returning to the Maoist governance in his farewell speeches at the 18th Party Congress.

¹⁹ For example, in July 2010 workers at two largest post-reform textile mills in Xianyang coordinated simultaneous strikes for wage increases and they succeeded.

²⁰ Zhao's speech about 'revolution and amendment' can be found on YouTube (see <http://youtu.be/L5-edu7L1l0>).

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Figure 1: Actions and responses in the first and second phases of resistance

